

REMARKS

This Amendment is being filed in response to the Office Action mailed January 24, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1 and 3-4 have been amended for non-statutory reasons, such as beginning the dependent claims with 'The' instead of 'A' and deleting reference designations typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1 and 3-4 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claim 5 is rejected under 35 U.S.C. §101

as allegedly directed to non-statutory subject matter. Without agreeing with the Examiner, and in the interest of furthering the prosecution and expediting allowance of the present Application, claim 5 has been amended for better form that more clearly recites statutory subject matter. It is respectfully requested that the rejection of claim 5 under 35 U.S.C. §101 has been overcome and withdrawal of this rejection is respectfully requested.

In the Office Action, claims 1-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0078144 (Lamkin). It is respectfully submitted that claims 1 and 3-5 are patentable over Lamkin for at least the following reasons.

Lamkin is directed to presentation of media content from multiple media. Lamkin discloses an embedded browser that supports two types of cookies, namely system cookies and general-purpose cookies.

It is respectfully submitted that, the present invention as recited in independent claim 1, and similarly recited in independent claims 3-4, amongst other patentable elements, recites (illustrative emphasis provided):

providing, in an off-line session, the additional carrier data as a function of the user data,  
updating the user data to reflect a latest off-line action of the user,  
providing, in an on-line session, additional remote data from a remote unit as a function of the user data, the remote unit being connected to the recording and/or reproducing device via a network, and  
updating the user data to reflect a latest on-line action of the user so that a viewing experience of the user is consistent during both the off-line session and the on-line session and same customization features are provided when the additional carrier data are coming from the information carrier or when the additional remote data are coming from the remote unit.

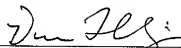
These features are nowhere disclosed or suggested in Lamkin. Accordingly, it is respectfully submitted that independent claims 1 and 3-4 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claim 5 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position,

should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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